



Memorandum

Date: 2/1/2023

From: Joe McKittrick, Senate Committee Services

Re: Comparison of Proposed Substitutes to SB 5533

Membership of the Model Vehicle Pursuit Policy Work Group

The substitute heard in Committee required the following membership of the Model Vehicle Pursuit Work Group:

- WASPC
- WSP
- WA Fraternal order of Police
- WA Counsel of Police and Sheriffs
- WSP Trooper Assoc.
- Teamsters Local 117
- Families who have lost loved ones to violent interactions with law enforcement
- A civil rights org.
- State org. advocating for Black Americans
- State org. advocating for latinos;
- State org. advocating for Asian Americans, Pacific Islanders, and Native Hawaiians;
- A federally recognized tribe located in Washington;
- A community org. from Eastern Washington working on police accountability;
- A community org. from Western Washington working on police accountability;
- A community org. serving persons who are unhoused;
- The faith-based community with advocacy on police accountability;
- A community organization working on traffic safety issues; and
- A state org. working on police accountability.

Substitute E, Offered by Senator Dhingra would make the following additions to the work group membership:

- Families who have lost loved ones as a result of actions by others violating traffic or criminal law;
- Washington Assoc. of Prosecuting Attorneys;
- A national organization advocating for traffic safety;

The Commission is encouraged to invite experts in police tactics and academics and researchers in the area of criminal justice.

Substitute D, Offered by Senator Padden would make the following additions and removals from the work group membership:

- **Additions:**
 - Families who have lost loved ones as a result of actions by others violating traffic or criminal law;
 - Washington Assoc. of Prosecuting Attorneys;
 - A national organization advocating for traffic safety;
 - A scholar from the Seattle University Department of Criminal Justice, Criminology, and Forensics;
 - Washington Assoc. of Counties;
 - Assoc. of Washington Cities;
 - Assoc. of Washington Businesses; and
 - Washington Retailers Assoc.
- **Removals:**
 - A statewide organization working on police accountability

Substitute C, offered by Senator Wagoner would make no changes to the makeup of the work group.

Factors to be Considered by the Model Vehicle Pursuit Policy Work Group

The substitute heard in Committee required the following factors to be considered by the Model Vehicle Pursuit Work Group:

- Circumstances where vehicle pursuits may not be justified;
 - Circumstances where vehicle pursuits may be justified;
 - Circumstances where peace officers should consider the use of tactics other than engaging in a vehicle pursuit;
 - Procedures and tactics for officers engaged in a pursuit;
 - Responsibilities of the primary responding unit;
 - Supervision of pursuit activities;
 - The responsibilities of dispatch when an officer is engaged in a vehicle pursuit;
 - Factors influencing the termination of a pursuit;
 - Factors related to interjurisdictional pursuits;
 - Care and consideration of victims and injured persons; and
 - Information to be included in reports related to the pursuit.
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Substitute E, Offered by Senator Dhingra would add the following factors for the work group to consider:

- Peer-reviewed research findings pertaining to pursuit policies, procedures, and training;
 - Data collected from Washington state law enforcement agencies;
 - Factors influencing motorist decisions to flee police detention;
 - Demographics of fleeing subjects;
 - Pursuit results when officers terminate or pursue to conclusion;
 - Correlation of results with nationwide review of pursuit police and training practices;
 - The impact of using technology to address vehicle pursuits;
 - The benefits of vehicle pursuits including apprehension rates, offenses charged, and frequency of post-pursuit apprehension through other means; and
 - Risks of vehicle pursuits including but not limited to accidents, injuries, fatalities, property damage, and civil claims resulting from vehicle pursuits.
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Substitute D, Offered by Senator Padden would add the following factors for the work group to consider:

- Peer reviewed scholarly analysis and assessment of the effectiveness of RCW 10.116.060 concerning vehicular pursuits;
 - Peer reviewed research findings pertaining to pursuit policies, procedures, and training;
 - Data collected from Washington state law enforcement agencies to assist with formulating evidence-based recommendations;
 - Factors influencing motorist decisions to flee police detention;
 - Demographic data of individuals who flee police detention;
 - Pursuit results when officers terminate or pursue to conclusion; and
 - Correlation of results with nationwide review of pursuit policy and training practices.
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Substitute C, offered by Senator Wagoner would make no changes to the factors the work group must consider.